

EXPENSES OF INDIAN HOSTILITIES IN CALIFORNIA.

[To accompany Bill H. R. No. 299.]

JUNE 22, 1860.

Mr. STANTON, from the Committee on Military Affairs, made the following

REPORT.

The Committee on Military Affairs, to whom was referred House bill No. 299, "to provide for the payment of expenses incurred in the suppression of Indian hostilities in the State of California," report:

That at a late period of the session vouchers were laid before the committee showing expenditures by the State of California for the payment of volunteers called out by the authorities of said State for the suppression of Indian hostilities in nine several expeditions, from 1854 to 1859, both years inclusive, amounting to \$99,397 40, and for supplies, transportation, &c., furnished to said volunteers, amounting to \$340,228 93, making, in the aggregate, the sum of \$439,626 33. These vouchers appear to be regular and satisfactory as to the amount expended by said State, but, owing to the late day of the session at which they were presented, the committee have not had time to give them a thorough and critical examination.

The liability of the federal government to indemnify a State or Territory for expenses necessarily incurred in protecting their citizens against a public enemy in their own midst has been repeatedly, if not uniformly, recognized by Congress. Your committee, however, are of opinion that, before the federal government should assume liabilities of this character, it ought to be satisfactorily shown, not only that a necessity existed for calling the military forces into service, but that the expenditures have been reasonable in amount, and have not been improvidently incurred.

To carry out these views, your committee have prepared a substitute for the original bill, conferring upon the Third Auditor of the Treasury authority to examine and audit these claims upon certain principles prescribed by the bill. The main principles which your committee have deemed it important to incorporate in the bill are the following:

1. That no more shall be allowed for the services of said volunteers than was paid for services in the same grades during the same time in the United States army serving in California; nor shall any allowance be made for the services of any of said volunteers except for the time during which they were actually in service in the field.

2. That for supplies, transportation, &c., no higher rates shall be allowed than were paid by the United States during the same time for similar supplies, transportation, &c., furnished the United States army in the same country.

3. That no allowance shall be made for the expenditures of any expedition for which the Secretary of War shall be of opinion there was not a necessity.

As the rates paid for military service in these expeditions was higher than the rates paid in the United States army, your committee are of opinion that the sum of four hundred thousand dollars will be sufficient to cover the total amount that may be allowed by the Third Auditor, on auditing the claims pursuant to these principles, even if no reduction shall be made in the claims for supplies, transportation, &c. Your committee have therefore provided in the bill that said sum, or so much thereof as may be necessary, be appropriated for the purpose of satisfying these claims.

Your committee recommend the passage of the substitute for the original bill herewith reported.